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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Paulo Quezada,

10 Petitioner,

11 v.

12 Jason Gunther,

13 Respondent.
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No. CV-24-02194-PHX-DWL

ORDER

15 Pending before the Court are Petitioner's Petition for Writ of Habeas Corpus
16 pursuant to 28 U.S.C. § 2241 (Doc. 1) and the Report and Recommendation ("R&R") of
17 the United States Magistrate Judge (Doc. 16). The R&R, which was issued on March 5,
18 2025, recommends that the Petition be dismissed without prejudice as unripe or,
19 alternatively, that the Petition be denied. (Doc. 16 at 14.) The R&R further provides that
20 "the parties shall have fourteen (14) days from the date of service of a copy of this
21 recommendation within which to file specific written objections with the Court." (*Id.*)

22 Here, no such objections have been filed and the 14-day deadline has expired. Thus,
23 the Court adopts the R&R. *See, e.g., Thomas v. Arn*, 474 U.S. 140, 149-50 (1985) ("It does
24 not appear that Congress intended to require district court review of a magistrate's factual
25 or legal conclusions, under a *de novo* or any other standard, when neither party objects to
26 those findings."); *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) ("[N]o
27 review is required of a magistrate judge's report and recommendation unless objections are
28 filed."). *See also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)

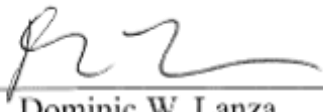
1 (“[T]he district judge must review the magistrate judge’s findings and recommendations
2 de novo *if objection is made*, but not otherwise.”).

3 Accordingly,

4 **IT IS ORDERED** that the R&R’s recommended disposition (Doc. 16) is **accepted**,
5 that the Petition (Doc. 1) is **dismissed without prejudice**, and that the Clerk of Court shall
6 enter judgment accordingly.

7 **IT IS FURTHER ORDERED** that a certificate of appealability and leave to
8 proceed *in forma pauperis* on appeal are **denied** because Petitioner has not made a
9 substantial showing of the denial of a constitutional right and because dismissal is justified
10 by a plain procedural bar and jurists of reason would not find the procedural ruling
11 debatable.

12 Dated this 28th day of March, 2025.

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16 _____
17 Dominic W. Lanza
18 United States District Judge
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